

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-3, 6-10, and 13-18 are currently pending; Claims 1-3, 6-10, and 13-18 having been amended, and Claims 4, 5, 11, and 12 having been canceled without prejudice or disclaimer by the present amendment. Claim 1 is amended to include the elements of Claims 4 and 5, and Claims 10 and 16 are amended to include the elements of Claims 11 and 12. Claims 17 and 18 are amended to ensure a proper antecedent basis in view of the amendment to Claim 16.

In the outstanding Office Action, Claims 2, 6, 7, 8, 9, 13, 14, 15, and 18 were rejected under 35 U.S.C. §112, second paragraph, as indefinite for failing to particularly point out and distinctly claim the subject which Applicant regards as the invention; and Claims 1-18 were rejected under 35 U.S.C. §102(b) as anticipated by Yedid (U.S. Patent No. 4,613,983).

In response to the rejection of Claims 2, 6, 7, 8, 9, 13, 14, 15, and 18 under 35 U.S.C. §112, Claims 1-3, 6-10, and 13-18 are amended, without adding new matter, to address the deficiencies identified in the outstanding Office Action. Support for the amendments is found in the figures, for example, and no new matter is added.

In particular, Claims 2, 8, 9, 14, and 15 are amended to recite structural elements. Claims 1-3, 6-10, and 13-18 are amended to more clearly describe and distinctly claim the subject matter that Applicant regards as the invention by changing "portion" to --unit--.

Accordingly, the rejection under 35 U.S.C. §112, second paragraph, is believed to have been overcome. If, however, the Examiner disagrees, the Examiner is invited to telephone the undersigned who will be happy to work with the Examiner in a joint effort to derive mutually satisfactory claim language.

With respect to the rejection of the claims under 35 U.S.C. §102(b), Applicant respectfully traverses this rejection.

Claim 1 is directed to an X-ray diagnostic device and is amended to recite:

an image processing unit...comprising, an addition processing unit configured to add up said image data sets at a same shot position and thereby generates an addition image data set, and a joint processing unit configured to generate said given image data set by jointing said addition image data sets at different shot positions.

Indeed, Yedid does not teach or suggest these elements of amended Claim 1.

On the contrary, Yedid describes a method for processing X-ray images where a preset number of shots (A, B, C, and D) are repeated at each of a plurality of shoot positions (1, 2, 3, and 4).¹ The shots at each position are not added together. One of the four images (A, B, C, and D) obtained at each position (1, 2, 3, and 4) is manually selected by an operator, and the four images (shown as B1, A2, A3, and C4 in Fig. 3) are obtained from different shoot positions and joined together.² However, Claim 1 recites “an addition processing unit configured to add up said image data sets at a same position to generate an addition image data, and ...a joint processing unit configured to generate said given image data set by jointing said addition image data sets at different shot positions.” Therefore, Yedid does not teach or suggest every element of amended Claim 1.

Applicants respectfully submit that amended Claim 1 (and dependent Claims 2-3, and 6-9) patentably distinguish over Yedid. In addition, Applicants respectfully submit that Claims 10 and 16 (and dependent Claims 13-15, 17, and 18) patentably distinguish over Yedid for at least the reasons given for Claim 1.

¹ Yedid, Fig. 3.

² Yedid, col. 4, lines 58-59.

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Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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